

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

In re: BRIDGESTONE/FIRESTONE, INC.,) Master File No. IP 00-9373-C-B/S
TIRES PRODUCTS LIABILITY LITIGATION) MDL NO. 1373
_____)
THIS DOCUMENT RELATES TO)
)
ALLISON WOOTTON,)
)
Plaintiff,) Case No. IP 01-5324-B/S
)
vs.)
)
BRIDGESTONE/FIRESTONE, INC.,)
)
Defendant.)

ENTRY FOR MAY 3, 2002

The parties appeared, by counsel, for a status conference before the magistrate judge this date, during which the following was discussed and determined:

1. All pending discovery motions in this case are **moot** in light of the scheduled arrived at during this conference.
2. Ms. Wootton will respond fully and completely to all of Firestone's outstanding discovery by the end of this month.
3. A motion for summary judgment on statute of limitations grounds is currently pending before the court. The parties need to conduct certain additional discovery in order to supplement their evidence in support of and in opposition to that motion. To that end:
 - a. Ms. Wootton's counsel will obtain and produce any documents that Mr. Carlson has regarding the subject tire or anything else relevant to this case;¹

¹Mr. Carlson is a tire expert who may or may not have examined the subject tire in this case during the course of Ms. Wootton's previous lawsuit against Ford arising out of the same accident at issue in this case.

- b. Within the next two weeks, Ms. Wootton's counsel will contact Mr. Morris, who was Ms. Wootton's attorney in her previous lawsuit against Ford, and determine whether Mr. Morris will agree to produce all documents in his files which relate to the subject tire in this case and/or his decision not to pursue a claim against Firestone;
 - c. If, after examining any documents produced by Mr. Morris, Firestone wishes to depose Mr. Morris regarding his decision not to pursue a claim against Firestone, it will notice Mr. Morris's deposition. If Ms. Wootton objects to the deposition on the grounds of attorney-client privilege, she will promptly file a motion to quash the deposition, which will be briefed in an expedited fashion, so that Firestone will respond in five days and Ms. Wootton will reply in three days;
 - d. All depositions and other discovery relevant to the pending summary judgment motion will be completed by **June 12, 2002**, and any supplement by either party to the summary judgment motion will be filed no later than **June 21, 2002**. Any response to any supplemental filing will be due **within 10 calendar days** of the supplemental filing.
4. Firestone agrees that it will have its independent medical examination of Ms. Wootton performed in Kentucky where Ms. Wootton resides, rather than in Florida where this case was filed.
5. Pursuant to the generous offer of Firestone's counsel, Ms. Wootton's counsel may examine and copy the non-privileged portions of Firestone's counsel's files relating to this case and to Ms. Wootton's previous case against Ford, in light of the

incompleteness of the file obtained from Ms. Wootton's prior attorney in this case.

6. Within the next week, Firestone will have the subject tire shipped to the expert designated by Ms. Wootton for non-destructive testing and examination; Ms. Wootton's expert will then return the tire to Firestone so that Firestone can have its second expert examine it.
7. From this point forward, except as otherwise set forth in this Entry, this case shall be subject to the deadlines for cases filed in the Third Quarter of 2001, also known as the "Third Wave" cases, as set forth in the Comprehensive Case Management Schedule entered in this MDL.

ENTERED this _____ day of May 2002.

V. Sue Shields
United States Magistrate Judge
Southern District of Indiana

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